



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

2152

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

10/056,956

Filing Date

January 25, 2002

First Named Inventor

Eric McKinlay

RECEIVED

Group Art Unit

2152

MAY 08 2003

Examiner Name

Unknown

Technology Center 2100

Attorney Docket Number

50642.00027

ENCLOSURES (check all that apply)

Fee Transmittal Form (in duplicate)

Assignment and Recordation Cover Sheet (for an Application)

Request to Correct Filing Receipt

Amendment / Response

Drawing(s) _____ Sheets

Appeal Communication to Board of Appeals and Interferences

With RCE

Licensing-related Papers

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

After Final

Petition

Return Postcard

Affidavits/declaration(s)

Request for Continued Examination

Status Letter

Extension of Time Request (in duplicate)

Power of Attorney

Other Enclosure(s) (please identify below):

2 Reference(s)

Terminal Disclaimer

IDS and Form 1449

Request for Refund

Certified Copy of Priority Document(s)

CD, Number of CD(s) _____

Remarks

Response to Missing Parts/ Incomplete Application

Declaration/Oath

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Vidya R. Bhakar, Reg. No. 42,323
Squire, Sanders & Dempsey, L.L.P.
600 Hansen Way
Palo Alto, CA 94304-1043

Signature

Date

May 1, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

May 1, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEES TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0)

| Complete if Known | |
|----------------------|------------------|
| Application Number | 10/056,956 |
| Filing Date | January 25, 2002 |
| First Named Inventor | Eric McKinlay |
| Examiner Name | Unknown |
| Group / Art Unit | 2152 |
| Attorney Docket No. | 50642.00027 |

RECEIVED

MAY 08 2003

| METHOD OF PAYMENT (check all that apply) | | | | FEE CALCULATION (cont'd) | | | |
|--|-----------------------------------|----------|----------|---|--------------|----------|----------|
| <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account | | | | 3. ADDITIONAL FEES | | | |
| Deposit Account Number | 05-0150 | | | Large Entity | Small Entity | | |
| Deposit Account Name | Squire, Sanders & Dempsey, L.L.P. | | | Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | Fee Description | Fee Paid | | |
| FEE CALCULATION | | | | | | | |
| 1. BASIC FILING FEE | | | | | | | |
| Large Entity | Small Entity | | | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | <u>Fee Description</u> | | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | | | |
| 1002 | 330 | 2002 | 165 | Design filing fee | | | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | | | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | | | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | | | |
| SUBTOTAL (1) | | | | (\$ 0) | | | |
| 2. EXTRA CLAIM FEES | | | | | | | |
| Total Claims | -20 ** | = 0 | X | Fee from below | Fee Paid | | |
| Independent Claims | -3 ** | = 0 | X | | | | |
| Multiple Dependent | | | X | | | | |
| Large Entity | Small Entity | | | | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | <u>Fee Description</u> | | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | | | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | | | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid ** Reissue independent claims over original patent | | | |
| 1204 | 84 | 2204 | 42 | ** Reissue claims in excess of 20 and over original patent | | | |
| 1205 | 18 | 2205 | 9 | | | | |
| SUBTOTAL (2) | | | | (\$ 0) | | | |
| Other fee (specify) _____ | | | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | SUBTOTAL (3) (\$ 0) | | | |

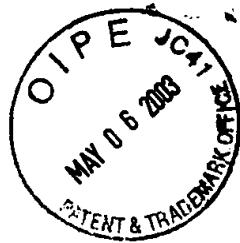
**or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY | | | | | |
|-------------------|---|----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Vidya R. Bhakar | Registration No. Attorney/Agent) | 42,323 | Telephone | (650) 856-6500 |
| Signature |  | | | Date | May 1, 2003 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231, on May 1, 2003

By: *Eileen Janikowski*
Eileen Janikowski

| | | |
|---|--|--|
| In Re Application of: Eric McKinlay, et al. Serial No.: 10/056,956 Filed: January 25, 2002 For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR INITIATING A SOFTWARE DOWNLOAD | Examiner: Unknown Art Unit: 2152 Attorney Docket No. 50642.00027 | RECEIVED MAY 08 2003 Technology Center 2100 |
|---|--|--|

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO
37 C.F.R. §§1.97(b)**

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56 and pursuant to 37 CFR §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the enclosed Form PTO-1449. One copy of each reference cited is submitted herewith.

The present Information Disclosure Statement is being filed more than three months after the filing date but before receiving the first Office Action. Accordingly, no fee or certification is needed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or

otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

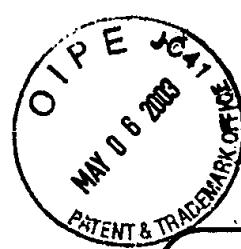
The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. 05-0150.

Respectfully submitted,

Date: May 1, 2003
Squire, Sanders & Dempsey LLP
600 Hansen Way
Palo Alto, CA 94304-1043
Telephone (650) 856-6500
Facsimile (650) 843-8777


By: Vidya R. Bhakar
Attorney for Applicants
Registration No. 42,323



PTO/SB/08B(10-01)

Approved for use through 10/31/2002. OMB 0651-0031

Approved for use through 10/31/2002. GPO 300-1300

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

of 1

1

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/056,956 |
| Filing Date | Jaunary 25, 2002 |
| First Named Inventor | Eric McKinlay |
| Group Art Unit | 2152 |
| Examiner Name | Unknown |
| Attorney Docket Number | 50642.00027 |

Attorney Docket Number 50642.00027

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

RECEIVED
MAY 08 2003
Technology Center 2100

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.